

THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF ENERGY RESOURCES
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BOSTON, MA 02114
[HTTP://WWW.MASS.GOV/DOER](http://www.mass.gov/doer)



Massachusetts Offers Rebates for Electricity Vehicles (MOREV)

RFR-ENE-2014-023

ISSUED: FEBRUARY 27, 2014

DEPARTMENT OF ENERGY RESOURCES
MARK SYLVIA, COMMISSIONER

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I. INTRODUCTION AND PURPOSE OF PROCUREMENT

A. OVERVIEW AND GOALS

The Massachusetts Department of Energy Resources (“DOER”) is a state agency whose mandate is to analyze and develop policies and programs to ensure that Massachusetts citizens have adequate, diverse energy supplies, at a reasonable cost, with a minimal impact on the environment. To that end, the DOER strives to create a cleaner energy future for the Commonwealth, economically and environmentally, including:

- Accelerating the deployment of cost-effective energy efficiency,
- Increasing the development of greener energy resources,
- Implementing strategies to assure reliable supplies and improve the cost of clean, energy relative to fossil-fuel based generation, and
- Supporting Massachusetts clean energy companies and spurring Massachusetts clean energy employment.

B. BACKGROUND

In 2008, Governor Patrick signed the Global Warming Solutions Act (GWSA), which authorized the Commonwealth to reduce greenhouse gas (GHG) emissions by 25 percent below 1990 levels by 2020, and at least 80 percent below 1990 levels by 2050.

The Executive Office of Energy and Environmental Affairs (EEA) subsequently released the Clean Energy and Climate Plan, which is a portfolio of policies that EEA is currently implementing to ensure the Commonwealth reduces GHG emissions to the targeted levels. The GWSA offers a unique and historic opportunity for the Commonwealth to develop innovative solutions that will help prevent the devastating and costly negative effects of climate change while improving the quality of our environment and public health, save households and businesses money through energy savings, create jobs, and spur economic development especially through our rapidly growing clean energy sector.

The transportation sector accounts for 37 percent of the emissions associated with climate change. One of the strategies to reduce these emissions is to increase zero emission vehicle (ZEV) sales. With the input from the Massachusetts Electric Vehicle Task Force, a multi-stakeholder body, the EEA and its agencies are developing and subsequently implementing

regulations, policies, and programs aimed at increasing the number of ZEVs registered in the state.

The DOER, an EEA agency, seeks an entity to design, manage, market and implement an electric vehicle rebate program. A critical deliverable will be a visually appealing, easy to use, and secure website that allows consumers to pick the eligible vehicle that they acquired through purchase or lease and apply for the rebate.

It is DOER's expectation that this program will be well managed, clearly communicated, and effectively executed, so that those who get rebates are delighted with their experience and successfully obtain the appropriate rebate for their purchase or lease of an electric vehicle.

II. PROCUREMENT CALENDAR:

| | |
|---|-------------------------------|
| DOER Issues Request for Responses (RFR) | February 27, 2014 |
| Deadline for Submitting Questions | March 7, 2014 |
| DOER Answers to Questions Posted | March 14, 2014 |
| RFR Response Due | April 15, 2014 3:00 PM |
| Execution of Contract with DOER* | April 25 |

* Dates after RFR Response Due date are *anticipated* dates. All dates are subject to change

III. PROCUREMENT AND CONTACT INFORMATION

A. TYPE OF PROCUREMENT:

This RFR is commodities and services procurement, governed by 801 CMR 21,

B. USE OF THIS PROCUREMENT BY SINGLE OR MULTIPLE DEPARTMENTS:

This RFR is for single department procurement. All contracts awarded under this RFR will be utilized solely by the DOER.

C. RFR DISTRIBUTION METHOD:

This RFR has been distributed electronically using the Comm-PASS system. It is the responsibility of every potential respondent to check Comm-PASS for any addenda or modifications to an RFR to which they intend to respond. The Commonwealth of Massachusetts and its subdivisions accept no liability and will provide no accommodations to respondents who fail to check for amended RFRs or submit inadequate or incorrect responses. Potential respondents are advised to check the “last change” field on the summary page of RFRs for which they intend to submit a response to ensure they have the most recent RFR files.

Respondents may not alter RFR language or any RFR component files. Those submitting a proposal must respond in accordance to the RFR directions and complete only those sections that prompt a respondent for a response. Modifications to the body of this RFR, specifications, terms and conditions, or which change the intent of this RFR are prohibited. Any unauthorized alterations will disqualify a response.

D. TOTAL ANTICIPATED DURATION OF CONTRACT

The Initial Contract Duration for this RFR is up to one year from the Contract Effective Start Date, plus two (2) options to renew of up to one (1) year each at the sole discretion of the DOER.

Approximately thirty (30) days prior to expiration of the initial contract period and any extended optional periods, DOER will notify the contractor in writing whether the Commonwealth will exercise its option to renew.

E. TOTAL ANTICIPATED VALUE OF CONTRACT

Estimated Value of this procurement is \$2,000,000 of which no more than 7% (or \$140,000 for the initial contract term) may be spent on contractor costs to administer the program.

F. QUESTIONS AND ANSWERS:

All questions must be submitted to MassDOER, care of Steve Russell at Stephen.russell@state.ma.us.

Questions and answers will be periodically posted on the Massachusetts DOER website and finalized on March 14, 2014.

G. CONTACT INFORMATION:

Responses to this RFR will be received by:

| | |
|----------------------|--|
| Procurement Contact: | Stephen Russell Department of Energy Resources 100 Cambridge Street, Suite 1020 Boston, MA. 02114 |
| Telephone: | (617) 626-7325 |
| Fax: | (617) 727-0030 |
| E-mail: | Stephen.Russell@state.ma.us |

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|------------------|---|
| RFR Name: | Massachusetts Offers Rebates for Electric Vehicles (MOREV) |
| RFR File Number: | RFR-ENE-2014-023 |

IV. PERFORMANCE AND CONTRACT SPECIFICATIONS

A. PROJECT ORGANIZATION AND RESPONDENT'S ROLE

Scope of Work

The successful respondent will be responsible for designing, managing, marketing, and implementing Massachusetts' electric vehicle rebate program. The program will include the following characteristics:

- Accessible throughout Massachusetts;
- Inclusive of new leased vehicles (minimum lease term of three years) or new purchased vehicles identified by DOER as being eligible for rebates;
- Rebates consistent with the funds available and website updates that provides information on remaining rebate funding and program announcements or updates;
- Simple education, application, and fulfillment processes that minimize the effort required from customers;
- Visually appealing website and application forms, which are easily understood, easy to use, and connect to the Commonwealth's goals and initiatives, as well as to the benefit to the applicants;
- Outreach and educational materials in consultation with DOER and EEA to conduct the statewide public outreach necessary for a successful program;
- A website that identifies eligible vehicles and the amount of rebate for each (plug-in hybrid or electric vehicles with 10 KWh or greater electrochemical energy storage (e.g. battery or fuel cell) will be assigned a rebate of up to \$2,500 and plug-in hybrid or electric vehicles with less than 10 KWh electrochemical storage will be assigned a rebate of up to \$1,500 and ensures that purchasers and lessees meet all applicable program requirements as defined by EEA and DOER;
- Promotion of additional websites with information on electric vehicles and Commonwealth's clean energy and climate goals;
- Accessible and secure database for program management and EEA/DOER reporting purposes that is able to track total funds, both available and expended, and vehicle numbers in real-time;
- A call center with a toll free phone number (e.g., 800 number) to respond to public inquiries during typical business hours and an administrative team available and responsive to agency inquiries;
- A procedure for any Massachusetts resident that does not have access to a computer for the application process;

- Establish a waiting list if the program becomes oversubscribed and EEA and DOER determine that a waiting list is appropriate;
- Assist the EEA and DOER in administering vehicle owner surveys to rebate recipients and assess the influence of rebates on consumer purchases;
- Provide data updates to DOER and EEA upon request;
- Provide information, after consultation with DOER, to individuals that wish to appeal a rebate denial; and
- Rapid deployment, with program launch no later than May 25, 2014.

B. PROJECT TERMS:

The selected Respondent will be required to abide by the Standard Commonwealth of Massachusetts Terms and Conditions. In addition, all final contracts are subject to negotiation of a Final Scope of Services. Please note that the DOER does not guarantee that any contracts will result from this RFR or that any particular funding level will be awarded.

V. DELIVERABLES, OWNERSHIP, REPORTING AND INVOICING:

A. DELIVERABLES:

Key deliverables to be completed by the selected consultant include:

- Promotional materials that can be adapted for various point of sale, registration or outreach entities (e.g. auto dealers, Registry offices, Insurance companies, company sponsored energy fairs, college fairs, Earth Day events, Green Community events);
- Program website and webinar to inform entities that have the ability to spread the word about the program (e.g., auto dealers, Registry Offices, Green Community and other state staff);
- Database of rebate participants;
- Reports on the progress of each participant through the processing of their rebate, the vehicle types purchased, the costs of the vehicles, and the auto dealer associated with the purchase;
- Proof of vehicle purchase (invoice) or lease agreement and Massachusetts registration;
- On-line updates of remaining funds for rebates (refreshed at least biweekly); and
- Reports, as described in the Reporting section below.

B. OWNERSHIP OF DELIVERABLES:

ALL DATA, WEBPAGE(S), SOFTWARE OR OTHER INTELLECTUAL PROPERTY DEVELOPED OR PURCHASED BY THE CONTRACTOR OR SUBCONTRACTORS AND DOCUMENTS CREATED BY CONTRACTORS AND SUBCONTRACTORS ASSOCIATED WITH THIS PROGRAM BELONG TO THE STATE AND MAY BE SUBJECT TO PUBLIC RECORD LAWS. IF THERE IS A PUBLIC RECORDS REQUEST, CONTRACTORS AND SUBCONTRACTORS ARE OBLIGATED TO PROVIDE THIS INFORMATION TO DOER UPON REQUEST.

C. REPORTING

Regular Reporting: On a regular basis, as determined by the DOER and based on the duration of the program, the successful respondent must electronically submit to DOER the following information for each individual rebate transaction for which a rebate was paid:

- Vehicle Manufacturer, year, make & model number
- Purchase price or terms of lease
- Date of purchase or lease
- Town/city and zip code of where the vehicle was registered
- Amount of rebate paid
- Auto dealer/retailer and address associated with each purchase
- Proof of purchase (invoice) or lease agreement
- Proof of Massachusetts registration
- Progress of each participant through the processing of their rebate
- Purchase of Level 2 charging station

Six-Month Report: A cumulative summary of the regular reports must be electronically submitted to the DOER. Any changes or program modifications approved by DOER must be made by the contractor on the website. In addition, a status report that summarizes and evaluates total fund expenditures, vehicles funded, commonly asked questions from the call center, outreach efforts, implementation challenges and any recommended program improvements must be included. Any denials of rebate and reasons why should be included in the report.

Final Report: The final report shall include a summary of the process and final figures as outlined in the Regular Reporting, and the optional information from the regular and six-month report sections above. In addition, the results of owner surveys and influence of rebates on

consumer purchases must be summarized. The final report shall be submitted within one month after the last rebate has been paid.

Ownership of Reports and Other Required Documentation: The deliverables listed above shall be owned by the Commonwealth of Massachusetts and treated as public documents.

Submission of Reports: All reports shall be submitted to:

Michelle Broussard

100 Cambridge Street, Suite 1020

Boston, MA 02114

617-626- 7377

Information required pursuant to Attachments: See also other Attachments to this Agreement for additional reporting requirements.

Changes to reporting requirements: Should EEA or DOER consider additional requirements, information, or guidance from the Massachusetts Electric Vehicle Task Force or legislature related to reporting, the successful respondent will assist DOER in complying with such requirements, information, or guidance.

D. INVOICING:

Payment: Reimbursement via invoicing is the preferred method of payment under this RFR. Invoices shall include information required by DOER and specified in the contract, including, for example, the dates of service and type of service performed.

In the event that a respondent seeks a payment method other than reimbursement via invoicing, e.g., periodic disbursement of funds, or disbursement of funds in one lump sum at the start of the contract, the respondent must include in its application a description of the preferred payment method and an explanation as to why that is the respondent's preferred method.

EVALUATION CRITERIA

The selected Consultant must demonstrate the experience, ability, and skills to complete projects of this type on time and within budget.

All proposals received by the due date and meeting the requirements established in this RFR will be reviewed and evaluated by EEA and DOER staff. Evaluation criteria will include but will not be limited to the following:

1. Respondent's relevant experience and demonstrated ability to deliver the ideal program, particularly in the areas outlined in Section VI. A.1. a-j.
2. The extent to which the respondent's proposal fulfills the ideal program criteria, as described in the Scope of Work.
3. The extent a respondent provides value and in-kind services to provide a comprehensive program, for example, through additional marketing and outreach suggested in its proposal.
4. Cost: The respondents should submit pricing based on service cost per rebate and total admin cost for a fully subscribed program (admin is capped at 7% of total program, no less than 93% of total contract must be in direct rebates to electric vehicle consumers)
5. RFRs valued at \$150,000.00 or more must include an SDP Plan
 - a. SDP evaluation will be at least 10% of available points in evaluation scoring

VI. SUBMISSION REQUIREMENTS

Responses must be received by 3 p.m. on April 15, 2014. Respondents must submit three hard copies, one CD and one electronic copy of the application to: Department of Energy Resources, 100 Cambridge St., Suite 1020, Boston MA 02114. Stephen.Russell@state.ma.us. Responses must include the following:

A. CONTENTS OF THE PROPOSAL PACKAGE

The Proposal Package must contain the following components:

1. A narrative and supporting materials that address the respondent's relevant experience and demonstrated ability to deliver the ideal program outlined in the Scope of Work Section IV. A. particularly in the following areas.

- a. Rebate program design and delivery
 - b. Marketing and outreach to auto dealers and customers
 - c. Website design and on-line application
 - d. Rebate fulfillment
 - e. Program management and administration
 - f. Data collection and secure database design and implementation
 - g. Survey and recommendations for improvement
 - h. Data reporting
 - i. Budget management
 - j. Plan or strategy for reducing waste, fraud, and abuse
2. A narrative and supporting materials describing the program that the respondent will deliver, including:
 - a. Name and resume of person who will act as the account manager for communication between the DOER and the respondent if selected as contractor
 - b. Resumes of personnel who will provide services, a description of what services they will provide, and if necessary, an explanation of their relevant experience
 - c. Process flow chart of customers' experience in the program
 - d. A budget, including type of services being provided
 - e. A timeline for performing the work
 - f. Three references

Failure to provide any of the materials listed above may result in the disqualification of the respondent. DOER reserves the option to:

- interview some or all respondents for the purpose of clarifying a proposal prior to making a final award
- invite some or all respondents to present examples of their work
- ask some or all respondents for additional information or
- work with some or all respondents to complete an incomplete application

C. WITHDRAWAL OR MODIFICATION OF PROPOSAL PACKAGE

- 1) A Respondent may withdraw or modify its Proposal by written request at any time prior to the RFR submission deadline. Telephonic submittals, amendments, or withdrawals will not be accepted.
- 2) Unless otherwise specified, no proposal may be withdrawn for a period of 120 days following the submittal deadline. Negligence on the part of the Respondent in preparing the Proposal confers no rights for the withdrawal of the Proposal after it has been opened.

- 3) Proposals received prior to the 3 p.m. on April 7, 2014 will be securely kept unopened. No responsibility will attach to an officer or person for the premature opening of a Proposal not properly addressed and identified.
- 4) Any Respondent taking exception to, or questioning any of the provisions, procedures, conditions or specifications herein stated should make such exceptions known through the question submittal process outlined in the Procurement Calendar.
- 5) It is the Respondent's responsibility to regularly check Comm-PASS or check in with MassDOER for any updates or changes to this RFR.

VII. EVALUATION AND AWARD

A. PROCESS

DOER will review the responses and may conduct an interview process. DOER reserves the right to select no respondents if the responses do not meet a sufficient standard based on the evaluation criteria. The evaluation committee reserves the right to waive any technical defect or informality in Proposals received or to allow the Respondent to correct them, and to accept or reject any Proposal or portion thereof. The evaluation committee reserves the right to seek additional information from any and all Respondents including but not limited to requests for clarifications and interviews.

B. RESPONDENT SELECTION AND CONTRACT EXECUTION

All Respondents will be notified in writing of DOER's selection decision. DOER and the Commonwealth reserves the right to reject any requested changes identified by the Respondent if not previously agreed upon during the response review and interview process. If an acceptable contract cannot be reached with any Respondent within 30 days of the written applicant selection notification, DOER may withdraw its selection of the Respondent.

VIII. OTHER TERMS:

REPORTING

Contractors are responsible for compliance with all other contract reporting requirements including, but not limited to, Supplier Diversity Program (SDP) and other contract reports, as required by this contract.

SECURITY AND CONFIDENTIALITY

The Contractor shall comply fully with all security procedures of the Commonwealth and all other applicable state, local and federal agencies in performance of the Contract. The Contractor shall not divulge to third parties any confidential information obtained by the Contractor or its agents, distributors, resellers, subcontractors, officers or employees in the course of performing Contract work, including, but not limited to, security procedures, business operations information, personally identifiable information, or commercial proprietary information in the possession of the Commonwealth Agency.

AUDIT

During the term of this Agreement and for a period of six years thereafter, the DOER, its auditors, the Operational Services Division, the Office of the Inspector General or other authorized representatives shall be afforded access at reasonable times to Contractor's accounting records, including sales information on any system, reports or files, in order to audit all records relating to goods sold or services performed pursuant to this Agreement. If such an audit indicates that Contractor has materially overcharged DOER, then the Contractor shall remit the overcharged amount and be responsible for payment of any costs associated with the audit.

APPENDIX A

GENERAL PROCUREMENT INFORMATION

ACCESS TO SECURITY-SENSITIVE INFORMATION

Bidders agree to adhere to this section in the event that an eligible entity provides a Contractor with security-sensitive information which, pursuant to MGL c. 4, § 7, cls. 26(n), is generally exempt from public disclosure under the Commonwealth's public records laws and must, for public safety purposes, be safeguarded from widespread public disclosure. This security-sensitive information is in the form of blueprints, plans, policies, procedures, schematic drawings, which relate to internal layout and structural elements, security measures, emergency preparedness, threat or vulnerability assessments, and/or any other records relating to the security or safety of persons (pursuant to [MGL c. 66A](#)) or buildings, structures, facilities, utilities, transportation, information technology or other infrastructure located within the Commonwealth. Qualified prospective Bidders that are interested in accessing this information for the purpose of preparing a bid Response must, before being allowed to access the information, sign a confidentiality agreement, thereby agreeing to:

- i. restrict the use of these sensitive records for any other purpose than as authorized and for the purpose of putting together a bid proposal;
- ii. safeguard the information while it is in their possession (consistent with Section 6 of the Commonwealth Terms and Conditions); and
- iii. return such records and materials to the Commonwealth upon completion of the project.

ALTERATIONS

Bidders may not alter (manually or electronically) the Solicitation language or any Solicitation component files, except as directed in the RFR. Modifications to the body of the Solicitation, specifications, terms and conditions, or which change the intent of this Solicitation are prohibited and may disqualify a Response.

OWNERSHIP OF SUBMITTED RESPONSES

DOER shall be under no obligation to return any Responses or materials submitted by a Bidder in response to this RFR. All materials submitted by Bidders become the property of the Commonwealth of Massachusetts and will not be returned to the Bidder. The Commonwealth reserves the right to use any ideas, concepts, or configurations that are presented in a Bidder's Response, whether or not the Response is selected for Contract award.

Responses stored on Comm-PASS in the encrypted lock-box are the file of record. Bidders retain access to a read-only copy of this submission via their Comm-PASS SmartBid Online Response Desktop, as long as their account is active. Bidders may also retain a traditional paper copy or electronic copy on a separate computer or network drive or separate media, such as CD or DVD, as a back up.

PROHIBITIONS

Bidders are prohibited from communicating directly with any employee of the procuring Department or any member of the MassDOER procurement team regarding this RFR except as specified in this RFR, and no other individual Commonwealth employee or representative is authorized to provide any information or respond to any question or inquiry concerning this RFR. Bidders may contact the contact person using the contact information provided in the "Issuers" tab for this Solicitation in the event that this RFR is incomplete or information is missing. Bidders experiencing technical problems accessing information or attachments stored on Comm-PASS should contact the [Comm-PASS Helpdesk](#).

In addition to the certifications found in the Commonwealth's Standard Contract Form, by submitting a Bid Response, the Bidder certifies that the Response has been arrived at independently and has been submitted without any communication, collaboration, or without any agreement, understanding or planned common course or action with, any other Bidder of the commodities and/or services described in the RFR.

TERMS AND REQUIREMENTS PERTAINING TO AWARDED CONTRACTS

COMMONWEALTH TAX EXEMPTION

Payment vouchers or invoices submitted to Massachusetts government entities must not include sales tax.

CONTRACTOR'S CONTACT INFORMATION

It is the Contractor's responsibility to keep the Contractor's Contract Manager information current. If this information changes, the Contractor must notify the Contract Manager by email immediately, using the address located on the Contract's "Issuer(s)" tab in the "Contact Information" section.

The Commonwealth assumes no responsibility if a Contractor's designated email address is not current, or if technical problems, including those with the Contractor's computer, network or internet service provider (ISP), cause e-mail communications between the Bidder and the PMT to be lost or rejected by any means including email or spam filtering.

PUBLICITY

Any Contractor awarded a contract under this RFR is prohibited from selling or distributing any information collected or derived from the Contract, including lists of participating Entities, Commonwealth employee names, telephone numbers or addresses, or any other information except as specifically authorized by the PMT.

Required Specifications

In general, most of the required contractual stipulations are referenced in the *Standard Contract Form and Instructions* and the *Commonwealth Terms and Conditions* (either version). However, the following RFR provisions must appear in all Commonwealth competitive procurements conducted under 801 CMR 21.00:

The terms of 801 CMR 21.00: *Procurement of Commodities and Services* (and 808 CMR 1.00: *Compliance, Reporting and Auditing for Human and Social Services*, if applicable) are incorporated by reference into this RFR. Words used in this RFR shall have the meanings defined in 801 CMR 21.00 (and 808 CMR 1.00, if applicable). Additional definitions may also be identified in this RFR. Unless otherwise specified in this RFR, all communications, responses, and documentation must be in English, all measurements must be provided in feet,

inches, and pounds and all cost proposals or figures in U.S. currency. All responses must be submitted in accordance with the specific terms of this RFR.

Supplier Diversity Program (SDP). Massachusetts Executive Order 524 established a policy to promote the award of state contracts in a manner that develops and strengthens Minority and Women Business Enterprises (M/WBEs) that resulted in the Supplier Diversity Program in Public Contracting. M/WBEs are strongly encouraged to submit responses to this RFR, either as prime vendors, joint venture partners or other type of business partnerships. All bidders must follow the requirements set forth in the SDP section of the RFR, which will detail the specific requirements relating to the prime vendor's inclusion of M/WBEs. Bidders are required to develop creative initiatives to help foster new business relationships with M/WBEs within the primary industries affected by this RFR. In order to satisfy the compliance of this section and encourage bidder's participation of SDP objectives, the Supplier Diversity Program (SDP) Plan for large procurements greater than \$150,000 will be evaluated at 10% or more of the total evaluation. Once an SDP Plan is submitted, negotiated and approved, the agency will then monitor the contractor's performance, and use actual expenditures with SDO certified contractors to fulfill their own SDP expenditure benchmarks. M/WBE participation must be incorporated into and monitored for all types of procurements regardless of size; however, submission of an SDP Plan is mandated only for large procurements over \$150,000.

- This RFR will contain some or all of the following components as part of the Supplier Diversity Program Plan submitted by bidders:
 - Sub-contracting with certified M/WBE firms as defined within the scope of the RFR,
 - Ancillary use of certified M/WBE firms,
 - Growth and Development activities to increase M/WBE capacity,

All certified businesses that are included in the bidder's SDP proposal are required to submit an up to date copy of their certification letter. For further information on SDO certification, contact the Supplier Diversity Office at (617) 502-8831 or via the Internet at www.mass.gov/sdo. Other resources are available to M/WBE firms that may qualify for SDO certification at www.mass.gov/sdp.

Supplier Diversity Program Subcontracting Policies. Prior approval of the agency is required for any subcontracted service of the contract. Agencies may define required deliverables including, but not limited to, documentation necessary to verify subcontractor commitments and expenditures with Minority- or Women-Owned Business Enterprises (M/WBEs) for the purpose of monitoring and enforcing compliance of subcontracting commitments made in a bidder's Supplier Diversity Program (SDP) Plan. Contractors are responsible for the satisfactory performance and adequate oversight of its subcontractors.

Best Value Selection and Negotiation. The Procurement Management Team (PMT) may select the response(s) which demonstrates the best value overall, including proposed alternatives that will achieve the procurement goals of the department. The PMT and a selected bidder, or a contractor, may negotiate a change in any element of contract performance or cost identified in the original RFR or the selected bidder's or contractor's response which results in lower costs or a more cost effective or better value than was presented in the selected bidder's or contractor's original response.

NOTICE: COMPASS WILL BECOME "COMMBUYS" ON MARCH 24 2014. WHILE THIS POSTING WILL BE AVAILABLE ON COMPASS UNTIL APRIL 15, THERE IS NO ABILITY TO INTERACT THROUGH THE COMPASS FORUM OR SMART BID AFTER FEBRUARY 28, 2014.

PLEASE CHECK IN THROUGH EMAIL AND/OR THE DOER WEBSITE FOR ANY COMMUNICATION, AMENDMENTS, AND QUESTIONS AND ANSWERS REGARDING THIS GRANT OPPORTUNITY.

The Commonwealth accepts no responsibility and will provide no accommodation to Bidders who submit a Response based on an out-of-date Solicitation or on information received from a source other than Comm-PASS or the DOER website.

Costs. Costs which are not specifically identified in the bidder's response, and accepted by a department as part of a contract, will not be compensated under any contract awarded pursuant to this RFR. The Commonwealth will not be responsible for any costs or expenses incurred by bidders responding to this RFR.

Electronic Communication/Update of Bidder's/Contractor's Contact Information. It is the responsibility of the prospective bidder and awarded contractor to keep current the email address of the bidder's contact person and prospective contract manager, if awarded a contract, and to monitor that email inbox for communications from the DOER lead (Stephen Russell), including requests for clarification. The DOER lead (Stephen Russell) and the Commonwealth assume no responsibility if a prospective bidder's/awarded contractor's designated email address is not current, or if technical problems, including those with the prospective bidder's/awarded contractor's computer, network or internet service provider (ISP) cause email communications sent to/from the prospective bidder/awarded contractor and the PMT to be lost or rejected by any means including email or spam filtering.

Electronic Funds Transfer (EFT). All bidders responding to this RFR must agree to participate in

the Commonwealth Electronic Funds Transfer (EFT) program for receiving payments. EFT is a benefit to both contractors and the Commonwealth because it ensures fast, safe and reliable payment directly to contractors and saves both parties the cost of processing checks. Contractors are able to track and verify payments made electronically through the Comptroller's Vendor Web system. A link to the EFT application can be found on the [OSD Forms](http://www.mass.gov/osd) page (www.mass.gov/osd). Additional information about EFT is available on the [VendorWeb](http://www.mass.gov/osc) site (www.mass.gov/osc). Click on MASSfinance.

Successful bidders, upon notification of contract award, will be required to enroll in EFT as a contract requirement by completing and submitting the *Authorization for Electronic Funds Payment Form* to this department for review, approval and forwarding to the Office of the Comptroller. If the bidder is already enrolled in the program, it may so indicate in its response. Because the *Authorization for Electronic Funds Payment Form* contains banking information, this form, and all information contained on this form, shall not be considered a public record and shall not be subject to public disclosure through a public records request.

Environmental Response Submission Compliance. In an effort to promote greater use of recycled and environmentally preferable products and minimize waste, all responses submitted should comply with the following guidelines:

- All copies should be printed double sided.
- All submittals and copies should be printed on recycled paper with a minimum post-consumer content of 30% or on tree-free paper (i.e. paper made from raw materials other than trees, such as kenaf). To document the use of such paper, a photocopy of the ream cover/wrapper should be included with the response.
- Unless absolutely necessary, all responses and copies should minimize or eliminate use of non-recyclable or non re-usable materials such as plastic report covers, plastic dividers, vinyl sleeves and GBC binding. Three ringed binders, glued materials, paper clips and staples are acceptable.
- Bidders should submit materials in a format which allows for easy removal and recycling of paper materials.
- Bidders are encouraged to use other products which contain recycled content in their response documents. Such products may include, but are not limited to, folders, binders, paper clips, diskettes, envelopes, boxes, etc. Where appropriate, bidders should note which products in their responses are made with recycled materials.
- Unnecessary samples, attachments or documents not specifically asked for should not be submitted.

Minimum Bid Duration. Bidders responses/bids made in response to this RFR must remain in effect for at least 90 days from the date of bid submission.

Pricing: Federal Government Services Administration (GSA) or Veteran's Administration Supply. The Commonwealth reserves the right to request from the successful bidder(s) initial pricing schedules and periodic updates available under their GSA or other federal pricing contracts. In the absence of proprietary information being part of such contracts, compliance for submission of requested pricing information is expected within 30 days of any request. If the contractor receives a GSA or Veteran's Administration Supply contract at any time during this contract period, it must notify the Commonwealth contract manager.

Prompt Payment Discounts (PPD). All bidders responding to this procurement must agree to offer discounts through participation in the Commonwealth Prompt Payment Discount (PPD) initiative for receiving early and/or on-time payments, unless the bidder can provide compelling proof that it would be unduly burdensome. PPD benefits both contractors and the Commonwealth. Contractors benefit by increased, usable cash flow as a result of fast and efficient payments for commodities or services rendered. Participation in the Electronic Funds Transfer initiative further maximizes the benefits with payments directed to designated accounts, thus eliminating the impact of check clearance policies and traditional mail lead time or delays. The Commonwealth benefits because contractors reduce the cost of products and services through the applied discount. Payments that are processed electronically can be tracked and verified through the Comptroller's Vendor Web system. The PPD form can be found under the Forms and Terms tab of this solicitation.

Bidders must submit agreeable terms for Prompt Payment Discount using the PPD form within their proposal, unless otherwise specified by the DOER. The DOER will review, negotiate or reject the offering as deemed in the best interest of the Commonwealth.

Public Records. All responses and information submitted in response to this RFR are subject to the Massachusetts Public Records Law, M.G.L., c. 66, s. 10, and to c. 4, s. 7, ss. 26. Any statements in submitted responses that are inconsistent with these statutes shall be disregarded.

Reasonable Accommodation. Bidders with disabilities or hardships that seek reasonable accommodation, which may include the receipt of RFR information in an alternative format, must communicate such requests in writing to the contact person. Requests for accommodation will be addressed on a case by case basis. A bidder requesting accommodation must submit a written statement which describes the bidder's disability and the requested accommodation to the contact person for the RFR. The DOER reserves the right to reject unreasonable requests.

Restriction on the Use of the Commonwealth Seal. Bidders and contractors are not allowed to display the Commonwealth of Massachusetts Seal in their bid package or subsequent marketing materials if they are awarded a contract because use of the coat of arms and the Great Seal of the Commonwealth for advertising or commercial purposes is prohibited by law.

Subcontracting Policies. Prior approval of the department is required for any subcontracted service of the contract. Contractors are responsible for the satisfactory performance and adequate oversight of its subcontractors. Human and social service subcontractors are also required to meet the same state and federal financial and program reporting requirements and are held to the same reimbursable cost standards as contractors.

APPENDIX B INSTRUCTIONS FOR EXECUTION AND SUBMISSION OF COMMONWEALTH STANDARD FORMS REQUIRED FOR THIS RFR

The purpose of this appendix is to provide guidance to Bidders on the Commonwealth Standard forms to be submitted (in addition to the other forms and documents required) and how they must be executed and submitted. Please note that these instructions are meant to supplement the Instructions found on each of these forms. It is advisable to print this document first so that it may be referenced when filling out these forms.

Some of the forms listed below can be electronically signed by the Bidder, see [Electronic Signatures](#). However, online Bidders must, if notified of Contract award, submit the following four (4) forms on paper with original ink signatures unless otherwise specified below, within the timeframe referenced in the RFR section entitled [Ink Signatures](#): the Commonwealth Standard Contract Form, the Commonwealth Terms and Conditions, the Request for Taxpayer Identification Number and Certification (Mass. Substitute W9 Form) and the Contractor Authorized Signatory Listing.

FORMS LOCATED ON THE SOLICITATION'S FORMS & TERMS TAB

COMMONWEALTH STANDARD CONTRACT FORM

Sign electronically as described above; **if notified of Contract award**, complete as directed below and submit on paper with original ink signature and date.

By executing this document or signing it electronically, the Bidder certifies, under the pains and penalties of perjury, that it has submitted a Response to this RFR that is the Bidder's Offer as evidenced by the execution of its authorized signatory, and that the Bidder's Response may be subject to negotiation by the PMT. Also, the terms of the RFR, the Bidder's Response and any negotiated terms shall be deemed accepted by the Operational Services Division and included as part of the Contract upon execution of this document by the State Purchasing Agent or his designee.

If the Bidder does not have a Vendor Code beginning with "VC," or does not know what their Vendor Code is, the Bidder should leave the Vendor Code field blank. The Bidder should NOT enter a Vendor Code assigned prior to May 2004, as new Vendor Codes have been assigned to all companies since that time.

Signature and date **MUST** be handwritten in ink, and the signature must be that of one of the people authorized to execute contracts on behalf of the Contractor on the Contractor Authorized Signatory Listing (See below).

COMMONWEALTH TERMS AND CONDITIONS

Sign electronically as described above; **if notified of Contract award**, complete as directed below and submit on paper with original ink signature and date, or submit a copy of a previously executed, up-to-date copy of the form as directed below.

If the Bidder has already executed and filed the Commonwealth Terms and Conditions form pursuant to another RFR or Contract, a copy of this form may be included in place of an original. If the Bidder's name, address or Tax ID Number have changed since the Commonwealth Terms and Conditions form was executed, a new Commonwealth Terms and Conditions form is required. The Commonwealth Terms and Conditions are hereby incorporated into any Contract executed pursuant to this RFR.

This form must be unconditionally signed by one of the authorized signatories (see Contractor Authorized Signatory Listing, below), and submitted without alteration. If the provisions in this document are not accepted in their entirety without modification, the entire Proposal offered in response to this Solicitation may be deemed non-responsive.

The company's correct legal name and legal address must appear on this form, and must be identical to the legal name and legal address on the Request for Taxpayer Identification and Certification Number (Mass. Substitute W9 Form).

REQUEST FOR TAXPAYER IDENTIFICATION NUMBER AND CERTIFICATION (MASS. SUBSTITUTE W9 FORM)

Sign electronically as described above; **if notified of Contract award**, complete as directed below and submit on paper with original ink signature and date, or submit a copy of a previously executed, up-to-date copy of the form as directed below.

If a Bidder has already submitted a Request for Taxpayer Identification and Certification Number (Mass. Substitute W9 Form) and has received a valid Massachusetts Vendor Code, an original W-9 form is not required. A copy of the form as filed may be included in place of an original. If the Bidder's name, address or Tax ID Number have changed since the Mass. Substitute W9 Form was executed, a new Mass. Substitute W9 Form is required. The information on this form will be used to record the Bidder's legal address and where payments under a State Contract will be sent. The company's correct legal name and legal address must appear on this form,

and must be identical to the legal name and legal address on the Commonwealth Terms and Conditions. Please do not use the U.S Treasury's version of the W9 Form.

CONTRACTOR AUTHORIZED SIGNATORY LISTING

Sign electronically as described above; **if notified of Contract award**, complete as directed below and submit on paper with original ink signature and date.

In the table entitled "Authorized Signatory Name" and "Title," type the names and titles of those individuals authorized to execute contracts and other legally binding documents on behalf of the Bidder. Bidders are advised to keep this list as small as possible, as Contractors will be required to notify the Procurement Manager of any changes. If the person signing in the signature block on the bottom of the first page of this form will also serve as an "Authorized Signatory," that person's name must be included in the typed table.

With regard to the next paragraph, which begins "I certify that I am the President, Chief Executive Officer, Chief Fiscal Officer, Corporate Clerk or Legal Counsel for the Contractor..." if your organization does not have these titles, cross them out and handwrite the appropriate title above the paragraph.

The signature and date should be handwritten in ink. Title, telephone, fax and eMail should be typed or handwritten legibly.

The second page of the form (entitled "Proof of Authentication of Signature") states that the page is optional. However, the "optional" aspect of the form is that Commonwealth Departments are not required to use it. In the case of Statewide Contracts, this page is REQUIRED, not optional. The person signing this page must be the same person signing the Standard Contract Form, the Commonwealth Terms and Conditions, and the RFR Checklist.

Please note that in two places where the form says "in the presence of a notary," this should be interpreted to mean "in the presence of a notary or corporate clerk/secretary." Either a notary or corporate clerk/secretary can authenticate the form; only one is required.

Organizations whose corporate clerks/secretaries authenticate this form are not required to obtain a Corporate Seal to complete this document.

SUPPLIER DIVERSITY PROGRAM PLAN FORM

Download this form and complete as directed below; include with online submission. Ink signature is not required.

The specific Supplier Diversity Program (SDP) requirements for this procurement can be found earlier in this document. Bidder's Supplier Diversity Program Plan must include a copy of the SDO certification of each Minority and Women Business Enterprise (M/WBE) company listed for consideration. A certified Bidder may not list itself as being a Supplier Diversity Program Partner to its own company. This form is NOT the same as the SDO certification of the Bidder's company.

PROMPT PAYMENT DISCOUNT FORM

Download this form and complete as directed below; include with online submission. Ink signature is not required.

Pursuant to the Prompt Payment Discount terms set forth in the RFR Required Specifications for Contracts and on the Prompt Payment Discount Form itself, all Bidders must execute this form. After entering the "Bidder Name" and "Date of Offer for Prompt/Early Payment Discount", the Bidder must identify the prompt payment discount(s) terms by indicating the "Percentage Discount off of the Proposed Pricing" and the "Turn-around-time for Payments." In the event of a hardship that prevents the Bidder from offering a prompt payment discount, the Bidder must document this fact and provide supporting information. If awarded a contract, the final negotiated prompt payment discounts should be reflected on the Commonwealth Standard Contract Form.

CONSULTANT CONTRACTOR MANDATORY SUBMISSION FORM

DOWNLOAD AND COMPLETE THIS FORM; INCLUDE WITH ONLINE SUBMISSION. INK SIGNATURE IS NOT REQUIRED.